1   [Counsel Listed Below]

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8   UNITED STATES DISTRICT COURT

9   NORTHERN DISTRICT OF CALIFORNIA

10   SAN FRANCISCO DIVISION

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12 UniRAM TECHNOLOGY, INC., a California corporation,	Case No. CV 04-01268-VRW
13	
Plaintiff,	**STIPULATED MOTION AND**
14	~~**[PROPOSED]**~~ **ORDER TO VACATE**
v.	**JUDGMENT**
15	
16 TAIWAN SEMICONDUCTOR MANUFACTURING COMPANY LTD., a Taiwan corporation, and TSMC NORTH	
17 AMERICA, a California corporation,	
18 Defendants.	

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1   On October 3, 2008, UniRAM Technology, Inc. ("UniRAM") and Taiwan

2   Semiconductor Manufacturing Company, Inc. and TSMC North America (collectively "TSMC")

3   executed a Settlement Agreement. On October 30, 2008, The United States Court of Appeals for

4   the Federal Circuit granted the parties' joint motion for remand to this Court so that this Court

5   may act on a joint motion for vacatur. [D.I. 666] Accordingly, pursuant to Fed. R. Civ.

6   P. 60(b)(6), UniRAM and TSMC jointly move for and stipulate to vacatur of judgment as

7   follows:

8   1.   All judgments contained in paragraphs 1 – 4 of the Court's May 1, 2008

9   Judgment [D.I. 638] are vacated.

10   2.   Each party will bear its own costs and attorneys' fees.

11

12   Dated: November 12, 2008   By: /s/ Joseph Grinstein

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25   **Attorneys for Plaintiff**

26   **UniRAM Technology, Inc.**

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STIPULATED MOTION AND [PROPOSED]   Case No. CV 04-01268-VRW
ORDER TO VACATE JUDGMENT   1

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2   By: /s/ Paul T. Ehrlich
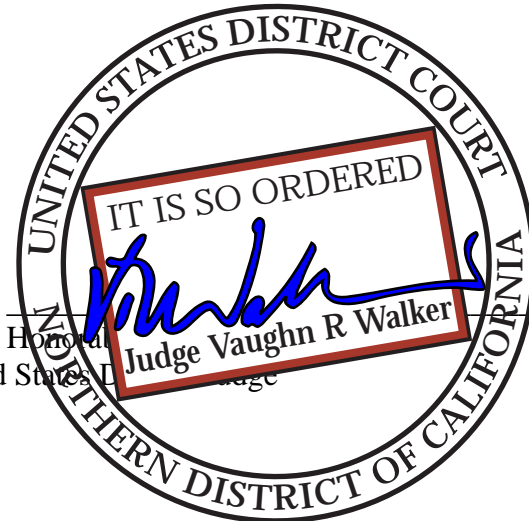
3   Edward R. Reines (State Bar No. 135960)
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8

9   **Attorneys for Defendants**
                                               Taiwan Semiconductor Manufacturing
10   **Company, Ltd. and TSMC North America**

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13   IT IS SO ORDERED:

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15
     DATED:___November 14, 2008____
16   Honora___ Judge Vaughn R Walker
                                               Chief United States D_____ Judge
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STIPULATED MOTION AND [PROPOSED]   Case No. CV 04-01268-VRW
ORDER TO VACATE JUDGMENT   2

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PROOF OF SERVICE

2

I am a citizen of the United States, more than 18 years old, and not a party to this

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action. My place of employment and business address is 201 Redwood Shores Parkway,

4

Redwood Shores, California, 94065-1175. On November 12, 2008, I caused a copy of

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STIPULATED MOTION AND [PROPOSED] ORDER TO VACATE JUDGMENT to be

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served as follows:

7

[   ] **BY MAIL** I am readily familiar with the business practice at my place of

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business for collection and processing of correspondence for mailing with the United States
Postal Service. In the ordinary course of business, correspondence so collected and processed is

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deposited with the United States Postal Service that same day with first-class postage thereon
fully prepaid. On the above-referenced date, I placed the above document(s) in a sealed envelope

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addressed to the person(s) identified below and placed the envelope for collection and mailing
following ordinary business practice.

11

[XX] **BY EMAIL** of .pdf documents.

12

VIA ELECTRONIC MAIL   **VIA ELECTRONIC MAIL**

13

John M. Neukom, Esq.   Max L. Tribble, Esq.

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Attorney for Plaintiff

24

Executed on November 12, 2008 at Redwood Shores, California. I declare under

25

penalty of perjury under the laws of the United States of America that the foregoing is true and

26

correct.

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_____/s/ Mimi Mentzer_____
                                                         Mimi Mentzer

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STIPULATED MOTION AND [PROPOSED]   Case No. CV 04-01268-VRW
ORDER TO VACATE JUDGMENT   3